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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 )  
 )  
 KONSTANTINOS ALEXOPOULOS, )  
 )  
 Defendant. )

No. 08 CR 0215

Hon. Matthew F. Kennelly

2008 MAR 26 PM 4:10  
U.S. DISTRICT COURT  
EASTERN DIVISION

NOTICE OF FILING

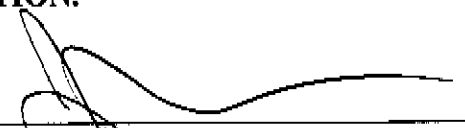
TO: Mr. Steven Block  
Assistant United States Attorney  
219 South Dearborn Street  
Suite 500  
Chicago, Illinois 60604

**FILED**

**MAR 26 2008**

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

PLEASE TAKE NOTICE that we have caused to be filed this 26<sup>th</sup> day of March, 2008, in the United States District Court for the Northern District of Illinois Witness' **EMERGENCY MOTION FOR COURT TO RETAIN JURISDICTION.**

  
JEFFREY J. LEVINE, P.C.  
Attorney for Material Witness  
Florencio Chapol-Fiscal

JEFFREY J. LEVINE, P.C.  
20 North Clark Street, Suite 800  
Chicago, Illinois 60602  
(312) 372-4600

**CERTIFICATE OF SERVICE**

I, JEFFREY J. LEVINE, hereby certify that on the 26<sup>th</sup> day of March, 2008, I caused a copy of the foregoing Notice together with said pleadings to be served the above named person by hand delivery.

  
JEFFREY J. LEVINE, P.C.

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT  
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UNITED STATES OF AMERICA, )  
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Plaintiff, )  
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No. 08 CR 0215

Hon. Matthew F. Kennelly

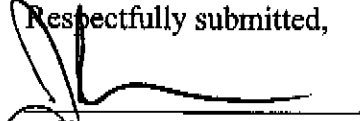
**EMERGENCY MOTION FOR COURT TO RETAIN JURISDICTION**

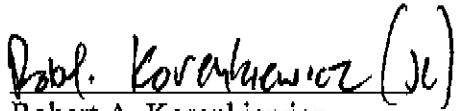
Now comes Material Witnesses Florencio Chapol-Fiscal, Guadencio Castro-Fausto and all other witnesses similarly situated herein, by and through attorneys Jeffrey J. Levine and Robert A. Korenkiewicz for their Emergency Motion For Court to Retain Jurisdiction Regarding Motion for Per Diem and Subsistence Payment, state as follows:

1. Counsel, on March 21, 2008, filed their Motion for Per Diem and Subsistence Payment. A copy of that motion is attached hereto.
2. Judge St. Eve is not hearing motions until April 2, 2008.
3. The material witnesses are expected to be returned to Mexico before Judge St. Eve can hear the Motion for Per Diem and Subsistence Payment.
4. As the witness will be out of the country, the Court may lose jurisdiction of the matter.
5. With the instant motion, Movants seek that the Court retain jurisdiction of the matter until such time as the matter can be decided by Judge St. Eve.
6. Government counsel has no objection to this emergency motion as long as it can later contest the merits of the Motion for Per Diem and Subsistence Payment.

Wherefore, for all the above and forgoing reasons, Material Witnesses Florencio Chapol-Fiscal, Guadencio Castro-Fausto and all other witnesses similarly situated herein pray that their Emergency Motion For Court to Retain Jurisdiction be granted, and for such further relief that this Court deems just and equitable.

Respectfully submitted,

  
Jeffrey J. Levine  
Attorney for Witness  
Florencio Chapol-Fiscal

  
Robert A. Korenkiewicz  
Attorney for Witness  
Guadencio Castro-Fausto

Jeffrey J. Levine, P.C.  
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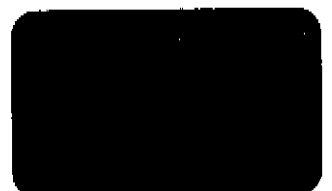
**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 08 CR 0215
	)	
	)	Hon. Amy J. St. Eve
KONSTANTINOS ALEXOPOULOS,	)	
	)	
Defendant.	)	

**MOTION FOR PER DIEM AND SUBSISTENCE PAYMENT**

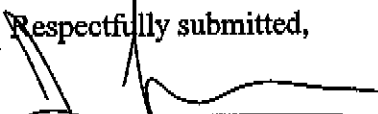
Now comes Material Witnesses Florencio Chapol-Fiscal, Guadencio Castro-Fausto and all other witnesses similarly situated herein, by and through attorneys Jeffrey J. Levine and Robert A. Korenkiewicz for their Motion For Per Diem and Subsistence Payment, pursuant to 28 U.S.C. § 1821, state as follows:

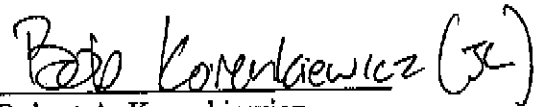
1. Counsel, on March 14, 2008, was preliminarily appointed to represent the eleven material witnesses in the above captioned matter.
2. Individual counsel were appointed on March 20, 2008.
3. Pursuant to 28 U.S.C. § 1821(d)(4), a witness detained as a material witness is entitled to a daily attendance fee.
4. As the witnesses herein are neither incarcerated nor held for prosecution.
5. Further, as the witnesses are presently in the custody of the U.S. Marshall and not Immigration and Customs Enforcement (ICE), and their transfer is being delayed pursuant to their status as material witnesses under Federal Rule of Criminal Procedure (a)(2) and 18 U.S.C. § 3144, the witnesses are neither being prosecuted nor deportable under 28 U.S.C. § 1821(e).



Wherefore, for all the above and forgoing reasons, Material Witnesses Florencio Chapol-Fiscal, Guadencio Castro-Fausto and all other witnesses similarly situated herein pray that they be paid Per Diem and Subsistence Payments pursuant to 28 U.S.C. § 1821, and for such further relief that this Court deems just and equitable.

Respectfully submitted,

  
Jeffrey J. Levine  
Attorney for Witness  
Florencio Chapol-Fiscal

  
Robert A. Korenkiewicz  
Attorney for Witness  
Guadencio Castro-Fausto

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